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10/575,104

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Ulrich Simon

288335US0PCT

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7590

08/13/2009

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EXAMINER

DOLLINGER, MICHAEL M

ART UNIT

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NOTIFICATION DATE

DELIVERY MODE

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ELECTRONIC

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## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 08/03/2009 with respect to Simon et al (US 6,300,413 or DE 198 02 809) in view of Hefele (US 5,153,064) have been fully considered but they are not persuasive. Applicant argues that the base dot system of the present invention differs from that of Simon and Hefele in several respects including that there is no requirement to stabilize an isocyanate crosslinking reactant in a polyolefin matrix. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., absence of polyolefin matrix/extrudate) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

2. Applicant also argues that there is inter-dot bonding between the amine groups at the termini of the amine terminated copolymer and will not occur in the adhesive of Simon. Applicant also argues that Hefele does not disclose a crosslinker in the base dot. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

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3. Applicant also argues that the low pressure polyethylene component of Hefele is quite different from the isocyanate or epoxide containing polyolefin extrudate of Simon. This argument is not convincing. The polyethylene components of both inventions are irrelevant to the combining of the references and to the merits of the rejection. However, the fact that the compositions of Simon and Hefele contain similar additional components only strengthens the conclusion of obviousness.

/Randy Gulakowski/

Supervisory Patent Examiner, Art Unit 1796